

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 02, 2016

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

CESAR MENDOZA-ROSAS,

Defendant.

No. 1:15-CR-2030-SMJ-01

**ORDER GRANTING THE USAO'S
MOTION TO DISMISS**

A Pretrial conference hearing was held in the above-entitled matter on **November 23, 2016**. Defendant Cesar Mendoza-Rosas was present, represented by Victor Lara. Assistant U.S. Attorney Benjamin David Seal appeared on behalf of the U.S. Attorney's Office (USAO). Before the Court, with oral argument, is the U.S. Attorney's Office's (USAO) Motion to Dismiss the Indictment, ECF No. 50. The USAO seeks the Court's leave to dismiss the Indictment, ECF No. 1, with prejudice as to Defendant Cesar Mendoza-Rosas pursuant to Federal Rule of Criminal Procedure 48(a). Having reviewed the pleadings filed in connection with the motion, the Court grants the USAO leave to dismiss the Indictment. The Court makes no judgment as to the merit or wisdom of this dismissal.

Accordingly, **IT IS HEREBY ORDERED:**

1 **1.** The USAO's Motion to Dismiss the Indictment, **ECF No. 50**, is
2 **GRANTED.**


3 **2.** The Indictment, **ECF No. 1**, is **DISMISSED WITH PREJUDICE**
4 as to Defendant Cesar Mendoza-Rosas.

5 **3.** All hearings are **STRICKEN**, and all pending motions are **DENIED**
6 **AS MOOT.**

7 **4.** The Clerk's Office is directed to **CLOSE** this file.

8 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
9 and provide copies to all counsel, the U.S. Probation Office, and the U.S.
10 Marshals Service.

11 **DATED** this 2nd day of December 2016.

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14 SALVADOR MENDOZA, JR.
15 United States District Judge
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